

1 PHILLIP TALBERT
2 United States Attorney
3 MATHEW W. PILE, WSBA No. 32245
4 Associate General Counsel
5 Office of Program Litigation, Office 7
6 Social Security Administration
7 MARY TSAI, CSBN 216963
8 Special Assistant United States Attorney
9 6401 Security Boulevard
Baltimore, MD 21235
Telephone: 510-970-4864
Facsimile: (415) 744-0134
E-Mail: mary.tsai@ssa.gov
10 Attorneys for Defendant

11 UNITED STATES DISTRICT COURT
12 EASTERN DISTRICT OF CALIFORNIA
13 FRESNO DIVISION

14 NANCY MCCARTER,) Case No.: 1:23-cv-01153-JLT-BAM
15 Plaintiff,)
16 vs.) STIPULATION FOR AN EXTENSION OF
17 COMMISSIONER OF SOCIAL SECURITY,) TIME; ~~PROPOSED~~ ORDER
18 Defendant.)
19

20 Pending the Court's approval, IT IS HEREBY STIPULATED, by and between the
21 parties, through their respective counsel of record, that the time for Defendant to respond to
22 Plaintiff's motion for summary judgment be extended fourteen (14) days from February 28,
23 2024, up to and including March 14, 2024. This is the parties' third stipulation for an extension
24 of the Court's Scheduling Order, and Defendant's first extension.

25 This is Defendant's first request for an extension, and it is made with good cause. This
26 case was recently reassigned to undersigned counsel for Defendant, along with another brief,
27 both of which were due on February 28, 2024. Moreover, counsel already has another brief due
28 that day and approximately five briefs due by early March. Thus, Defendant requires an

1 extension in this case, and may require extensions in other cases, and requests this extension in
2 good faith and with no intent to delay these proceedings unnecessarily.

3 The parties further stipulate that the Court's Scheduling Order shall be modified
4 accordingly.

5
6 Respectfully submitted,

7 Dated: February 9, 2024

/s/ Jonathan Omar Pena*
8 JONATHAN OMAR PENA
9 Attorney for Plaintiff
*as authorized via e-mail on February 9, 2024

10 Dated: February 9, 2024

11 PHILLIP TALBERT
12 United States Attorney
13 MATHEW W. PILE
14 Associate General Counsel
Office of Program Litigation, Office 7
Social Security Administration

15 By: /s/ Mary Tsai
16 MARY TSAI
17 Special Assistant U.S. Attorney
18 Attorneys for Defendant

ORDER

Pursuant to the parties' stipulation and good cause appearing, IT IS SO ORDERED that Defendant shall have an extension, up to and including **March 14, 2024**, to respond to Plaintiff's motion for summary judgment. All other dates in the Court's Scheduling Order shall be extended accordingly.

IT IS SO ORDERED.

Dated: February 12, 2024

/s/ Barbara A. McAuliffe

UNITED STATES MAGISTRATE JUDGE